



**FINAL ADMINISTRATIVE DECISION  
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: James Hardt  
DOCKET NO.: 20-00240.001-R-1  
PARCEL NO.: 12-28-202-011

The parties of record before the Property Tax Appeal Board are James Hardt, the appellant, by attorney Gregory Riggs of Tax Appeals Lake County in Lake Zurich; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds ***a reduction*** in the assessment of the property as established by the **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$121,980  
**IMPR.:** \$334,293  
**TOTAL:** \$456,273

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2020 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of a 2-story dwelling of brick exterior construction with 3,916 square feet of living area. The dwelling was constructed in 1998. Features of the home include a basement finished with a recreation room, central air conditioning, three fireplaces and a 782 square foot garage. The property has a 23,000 square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales located from .08 of a mile to 1.72 miles from the subject property, two of which have the same assessment neighborhood code as the subject. The comparables have sites that range in size from 25,970 to 54,320 square feet of land area. The comparables are improved with 1.5-story, 1.75-story or 2-story dwellings of brick, stucco, or brick and stucco exterior construction ranging in size from 3,892 to 4,454

square feet of living area. The dwellings were built from 1956 to 1998, with comparable #3 having a reported effective age of 1973. The comparables each have a basement, three of which are finished with a recreation room. Each comparable has central air conditioning, one or three fireplaces and a garage ranging in size from 470 to 814 square feet of building area. The properties sold from June 2018 to July 2020 for prices ranging from \$1,100,000 to \$1,574,615 or from \$258.58 to \$353.97 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$404,426, which would reflect a market value of \$1,213,399 or \$309.86 per square foot of living area, including land, when using the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$492,322. The subject's assessment reflects a market value of \$1,478,889 or \$377.65 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Lake County of 33.29% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales with the same assessment neighborhood code as the subject and located from 1.31 to 1.58 miles from the subject property. The comparables have sites that range in size from 18,940 to 25,500 square feet of land area. The comparables are improved with 1.75-story or 2-story dwellings of wood siding, brick, or stone and wood siding exterior construction ranging in size from 3,186 to 4,966 square feet of living area. The dwellings were built from 1994 to 1997. The comparables each have a basement finished with a recreation room, central air conditioning, three or four fireplaces and a garage ranging in size from 512 to 828 square feet of building area. The properties sold from January 2019 to October 2020 for prices ranging from \$1,125,000 to \$2,160,000 or from \$323.37 to \$434.96 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds a reduction in the subject's assessment is warranted based upon the record evidence.

The record contains seven suggested comparable sales for the Board's consideration, none of which are truly similar to the subject. The Board finds the appellant's comparables differ from the subject in location, site size and/or features or have sale dates which occurred less proximate in time to the assessment date at issue, whereas the board of review comparables differ from the subject in location and dwelling size. Nevertheless, the Board gives less weight to the appellant's comparable #1 as its sale date occurred in 2018 which is less proximate in time to the assessment date issue than the remaining comparables in the record, and thus less likely to be reflective of market value as of January 1, 2020. The Board has also given less weight to the appellant's comparables #2, #3 and #4 due to their older dwelling ages when compared to the

subject dwelling. Furthermore, the appellant's comparables #2 and #4 have considerably larger site sizes when compared to the subject. The Board has given reduced weight to board of review comparables #1 and #3, as comparable #1 has a dwelling that is approximately 1,000 square feet larger than the subject and comparable #2 has a dwelling that is approximately 800 square feet smaller than the subject.

The Board finds on this limited record that the best evidence of market value is board of review comparable sale #2. The Board finds this comparable to be overall most similar to the subject in site size, design, age and some features. However, the Board finds the comparable dwelling is 568 square feet larger in size when compared to the subject dwelling. Nevertheless, this comparable sold in October 2020 for a price of \$1,450,000 or \$323.37 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,478,889 or \$377.65 per square foot of living area, including land, which is greater than the most similar comparable sale in the record both in terms of overall market value and on a price per square foot basis. After considering adjustments to the comparable for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Therefore, based on this record, the Board finds a reduction in the subject's assessment is justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date:

August 23, 2022



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

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